

United States District Court
for
Middle District of Tennessee

Report on Offender Under Supervision

Name of Offender: Jeffrey Allen Sherman, Jr. Case Number: 3:08-00151-01
Name of Sentencing Judicial Officer: Honorable Frank Montalvo, U.S. District Judge, Western District of Texas
Name of Current Judicial Officer: Honorable William J. Haynes, Jr., Chief U.S. District Judge
Date of Original Sentence: April 17, 2008
Original Offense: 21 U.S.C. § 952(a) and 960, Importing a Quantity of Marijuana
Original Sentence: Five years' probation
Type of Supervision: Probation Date Supervision Commenced: April 17, 2008
Assistant U.S. Attorney: to be determined Defense Attorney: to be determined

The Court orders:

- ☒ No Action Necessary at this Time *as recommended by [signature]*
☐ Submit a Request for Modifying the Condition or Term of Supervision
☐ Submit a Request for Warrant or Summons
☐ Other

Considered this 29th day of January, 2013,
and made a part of the records in the above case.



William J. Haynes, Jr.
Chief U.S. District Judge

I declare under penalty of perjury that the foregoing
is true and correct. Respectfully submitted,



Amanda M. Russell
U.S. Probation Officer

Place Cookeville

Date January 28, 2013

ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

- | | |
|----|--|
| 1. | <u>The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.</u> |
|----|--|

Mr. Sherman moved from his previously reported residence in Silver Point, Tennessee, on or about December 25, 2012, and failed to notify the probation officer. When questioned by the probation officer on January 10, 2013, Mr. Sherman reported that he wanted to "get back" with his wife and moved to her residence in Cookeville, Tennessee, around Christmas to be with her and his step-children. He denied having any valid reason for not reporting his move to the probation officer.

- | | |
|----|---|
| 2. | <u>The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.</u> |
|----|---|

On January 12, 2013, Mr. Sherman's friend/employer was arrested for Driving Under the Influence in Cookeville, Tennessee. At the time of the arrest, Mr. Sherman was a passenger in the vehicle. When questioned by the probation officer on January 17, 2013, Mr. Sherman reported that he and his friend/employer went to play pool and were pulled over on the way home. Mr. Sherman reported he was the passenger, he was not drinking, and the responding officers permitted him to call a taxi-cab to get home after his friend/employer was arrested.

- | | |
|----|--|
| 3. | <u>The defendant shall abstain from the use of alcohol and/or all other intoxicants during the term of supervision.</u> |
|----|--|

On January 23, 2013, the probation officer met with Mr. Sherman in the office. While he previously denied consuming alcohol on January 12, 2013, Mr. Sherman later recanted and admitted to drinking "a couple" of beers the night his friend/employer was arrested for Driving Under the Influence. Mr. Sherman previously told the probation officer that the responding officers permitted him to call a taxi-cab to get home. Mr. Sherman reported he lied about drinking alcohol because he did not want to get in trouble by violating the conditions of his probation.

Compliance with Supervision Conditions and Prior Interventions:

Jeffrey Allen Sherman, Jr. is employed and lives with his wife and step-children in Cookeville, Tennessee. Mr. Sherman was sentenced to probation on April 17, 2008, and he is due to terminate supervision on April 16, 2013.

A report was submitted to the Court on June 2, 2011, regarding Mr. Sherman's admitted violations of using cocaine as well as associating with the supplier of the controlled substance. The probation officer reprimanded Mr. Sherman for violating his conditions of probation and warned him of the possible ramifications of his actions. Mr. Sherman was re-instructed as to all conditions, and specifically instructed not to purchase, possess, use, distribute, or administer any controlled substance. Additionally, Mr. Sherman was referred to Plateau Mental Health Center for out-patient substance abuse treatment as well as more frequent drug testing. The Court ordered no further action on June 6, 2011.

A report was submitted to the Court on February 17, 2012, regarding Mr. Sherman's admitted violations of using cocaine as well as associating with the supplier of the controlled substance. The probation officer reprimanded Mr. Sherman, again, for violating his conditions of probation. Mr. Sherman was re-instructed as to all conditions,

and specifically instructed not to purchase, possess, use, distribute, or administer any controlled substance. Additionally, Mr. Sherman was referred to Buffalo Valley Inc., in Hohenwald, Tennessee, to enter, and successfully complete, the 28-day inpatient substance abuse treatment program. The Court ordered no further action on February 21, 2012.

Mr. Sherman successfully completed the 28-day inpatient substance abuse treatment program at Buffalo Valley, Inc. on April 1, 2012. He continues to participate in outpatient substance abuse treatment and random drug testing at Plateau Mental Health Center in Cookeville, Tennessee. Mr. Sherman has not tested positive for illegal drugs since February 2012.

U.S. Probation Officer Recommendation:

The probation officer is requesting that no additional action be taken by the Court at this time. It is recommended that Mr. Sherman remain on probation, not incur any future violations, and terminate, as scheduled, on April 16, 2013.

The U.S. Attorney's office has been advised of the offender's noncompliance and is in agreement with this recommendation.

Approved: 
Britton Shelton
Supervisory U.S. Probation Officer